

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D. C. 20554

In the Matter of

Advanced Television Systems  
And Their Impact Upon The  
Existing Television Broadcast Service

To: The Commission

NOV 22 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

MM Docket No. 87-268

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**COMMENTS OF THE JET BROADCASTING CO., INC.**

The Jet Broadcasting Co., Inc. ("Jet"), licensee of UHF Television Broadcast Station WJET-TV, Channel 24, Erie, Pennsylvania, hereby offers its comments with respect to the Commission's Sixth Further Notice of Proposed Rulemaking (FCC 96-207, released August 14, 1996). Jet supports and has joined in the Joint Broadcasters' Comments, filed concurrently herewith, and applauds their efforts in developing a reasonable approach to a most complex issue. However, it does wish to offer its individual comments on certain aspects of this proceeding.

Jet has been engaged in the broadcasting business for more than four decades. The experience of its majority owner, Myron Jones, is even longer. Jet established WJET-TV in 1966. Since commencing operation, WJET-TV has been a primary affiliate of the ABC Television Network. As such, its experience and knowledge of UHF television is extensive. Moreover, in its market, WJET-TV has had to compete with a VHF station and other UHF

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stations. Through this experience, it has gained a keen understanding of the disadvantages of UHF broadcasting and the dominance of stronger VHF signals.

### Maximization and Flexibility

Jet was active in broadcasting through the period in the 50's when UHF television was first introduced. Use of the then new UHF spectrum permitted assignment of hundreds of new stations intended to foster competitive television throughout the country, and was eagerly awaited. In a realistic sense however, the promise of a service competitive with existing VHF stations went unfulfilled for well over a decade. During the early years widespread financial failures resulted in highly limited operations, dark stations, and a great many abandoned facilities. The greatest toll was among stations with inadequate facilities. And, usually, the key inadequacy was insufficient power. The minimum facility that seemed to permit a modest success in a fairly compact medium market without serious terrain problems, was 250 kw, with an antenna at least 700 feet above average terrain and within eight or ten miles of the market core population. WJET-TV began operation with a 500 kw facility which otherwise followed these criteria. In competition with a VHF facility, it was soon realized that a 1,000 kw facility with a taller antenna was necessary to provide a competitive signal in areas of dense buildings and shielded areas in the core market. Accordingly, Jet strongly supports the position ably expressed in the Joint Broadcasters' Comments that facility maximization is a vital issue that must be addressed by the Commission.

While we understand that market-wide quality reception of a digital signal may be possible with a factor of 1/20th or even 1/40th of prevailing power widely utilized in medium markets (i.e., 1,000 kw), there is absolutely no assurance this will be the case. In the 50's,

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leading suppliers marketed 1 kw, 2 kw and 10 kw transmitters which were quite inadequate and contributed greatly to the initial failure of UHF television. It was widely stated then that "the FCC had made the engineering mistake of the century" by misunderstanding the real world UHF propagation properties, particularly terrain and foliage shielding and the difficulty of penetrating dense building structures.

Jet respectfully cautions that digital television, which shows promise of becoming the cornerstone of a new era in America's competitive terrestrial television system, must certainly be allocated with facilities able to fulfill the promise quickly upon being activated. If it is allowed to emerge with insufficient facilities, critical comments will disastrously retard its development. Such delay will be more serious than the UHF happenings of the past, given today's intense competition from cable and satellite services. Adequate facilities aided by administrative flexibility and a system of rapid processing will be a primary key to success.

#### Choice of DTV Channel

With so much at stake, the public will be best served if the broadcaster is able to choose between its two allocated channels, the one to be used for DTV. Following the time line from inauguration of DTV to the discontinuance of NTSE facilities, the broadcaster may desire to swap channels at a point where the DTV facility shows promise of exceeding the NTSE audience in order to take advantage of long-standing equities, tangible and intangible, available with its NTSE facility.

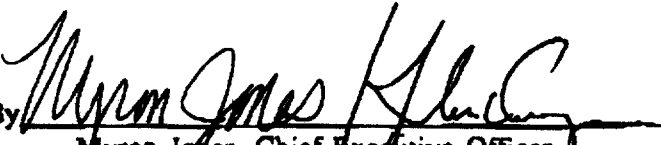
Speaking from the point of a locally-owned, well-established UHF broadcaster in a medium-small, highly competitive (4 commercial television stations plus a public station) market, Jet wishes to emphasize its intention to assure its viewers (cable and terrestrial alike), that Jet

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will seek to avail itself of a DTV facility at the earliest practical time. Jet will take that "leap of faith", and it will respectfully look to the Commission for the maximum of help toward implementing a viable service in the public interest.

THE JET BROADCASTING CO., INC.

By

  
Myron Jones, Chief Executive Officer  
John Kanzius, President